

**REMARKS**

**I.        Status**

The Office Action indicates claims 1-20 to be pending in this Application. With this response, claims 16-20 are canceled without prejudice or disclaimer, and claims 21-26 are added. No new matter has been added.

Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baran (U.S. Patent Application Publication No. 2003/0200548) in view of Candelore (WO 00/59222), Nagaoka (U.S. Patent Application Publication No. 2003/0137496), and “Open Mobile Alliance, Digital Rights Management Version 1.0, September 2002.”

Claims 1, 10, 14, 15, and 21-26 are independent.

**II.       Rejection of Independent Claims 1, 10, 14, and 15 under 35 U.S.C. 103**

The Office Action rejects independent claims 1, 10, 14, and 15 under 35 U.S.C. 103(a) as being unpatentable over Baran in view of Candelore, Nagaoka, and “Open Mobile Alliance, Digital Rights Management Version 1.0, September 2002.”

However, Applicants respectfully submit that the cited references, taken individually or in combination, fail, for example, to disclose, teach, or suggest:

“... sending the decrypted first key from the mobile terminal  
to the content display device”

as set forth in claim 1 (emphasis added).

As another example, the cited references, taken individually or in combination, fail to disclose, teach, or suggest:

“... sending the decrypted first key from the mobile terminal  
to the content display device ...”

as set forth in claim 10 (emphasis added).

As an additional example, the cited references, taken individually or in combination, fail to disclose, teach, or suggest:

“... wherein the mobile terminal is programmed to ... send the decrypted first key to the content receiving device ...”

as set forth in each of claims 14 and 15 (emphasis added).

The Office Action seems to indicate that such is provided by the combination of Candelore and Nagaoka. The Office Action apparently contends that Candelore discloses sending a decrypted first key from a smart card to a content display device and a content receiving device. The Office Action apparently further contends that it would be obvious to employ a mobile terminal in place of the smart card in view of Nagaoka’s discussion of mobile phone MS, the Office Action viewing Nagaoka as disclosing mobile phone MS as “ha[ving] the capability of a remote controller for a set-top box STB” (see Office Action p. 3).

However, Applicants respectfully disagree for at least the reason that a mobile phone sending a power on/off switching signal:

“[f]irst, when the power of the television receiver TV is off, the radiocommunication unit STB5 receives a power on/off switching signal. The signal interpretation unit STB6 interprets the signal and transmits to the television receiver control unit STB4 an instruction of switching on/off the power of the television receiver TV. Thus the television receiver control unit STB4 turns on the power of the television receiver TV (step SB1)”  
(see Nagaoka paragraph [0056]; emphasis added)

is not at all like “sending the decrypted first key” as set forth in each of claims 1 and 10 or “send[ing] the decrypted first key” as set forth in each of claims 14 and 15.

Moreover, Applicants respectfully observe that cited paragraph [0054] of Nagaoka merely discusses a table for storing reservations for recording:

"[t]he table TBL4 is utilized as a table for storing reservations for recording. Nothing is stored in the major program data field corresponding to an unrecorded program.

In the major program data field and minor program data field, neither major program data nor minor program data is stored but information representing location of the data items is stored. This is because the present embodiment is devised on the assumption that a plurality of users, who each own different mobile phones MS, uses one set-top box STB to view programs. That is to say, a plurality of users shares one major program data (and minor program data) stored in the recording unit STB2. It saves the storage area in the recording unit STB2"  
(see Nagaoka paragraph [0053] - paragraph [0054]; emphasis added).

In view of at least the foregoing, Applicants respectfully submit that claims 1, 10, 14, and 15, as well as those claims that depend therefrom, are in condition for allowance.

### **III. Addition of Claims 21-26**

With this response, Applicants add claims 21-26. No new matter has been added.

Applicants respectfully submit that claims 21-26 are in condition for allowance for at least the same reasons that claim 10 is in condition for allowance.

### **IV. Dependent Claims**

Applicants do not believe it is necessary at this time to further address the rejections of the dependent claims as Applicants believe that the foregoing places the independent claims in condition for allowance. Applicants, however, reserve the right to further address those rejections in the future should such a response be deemed necessary and appropriate.

*(Continued on next page)*

**CONCLUSION**

Applicants respectfully submit that this Application is in condition for allowance for which action is earnestly solicited.

If a telephone conference would facilitate prosecution of this Application in any way, the Examiner is invited to contact the undersigned at the number provided.

**AUTHORIZATION**

The Commissioner is hereby authorized to charge any fees which may be required for this response, or credit any overpayment to Deposit Account No. 13-4500, Order No. 4208-4147.

Furthermore, in the event that a further extension of time is required, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to the above-noted Deposit Account and Order No.

Respectfully submitted,

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